

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TIMOTHY HICKLE,)
)
PLAINTIFF,)
)
V.) CIVIL ACTION NO. 3:06-CV-488
)
MICHAEL J. ASTRUE,)
COMMISSIONER OF)
SOCIAL SECURITY,)
)
DEFENDANT.)

ORDER

This Social Security appeal is before the Court on the defendant Commissioner's objections [Doc. 18] to the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton on July 18, 2007 [Doc. 17]. Magistrate Judge Guyton recommended to deny defendant Commissioner's motion for summary judgment [Doc. 14]; grant plaintiff's motion for judgement on the pleadings [Doc. 10]; and that benefits be awarded on remand.

Many, but not all of defendant Commissioner's arguments/objections were previously raised and disposed of by the Magistrate Judge. As these arguments have already been analyzed or are without merit, the Court will only summarily address them here.

The Court concludes that the Magistrate Judge has thoroughly and correctly

analyzed the legal issues presented. After a careful review of this matter, the Court is in complete agreement with Magistrate Judge Guyton's recommendation.

Therefore, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 17]. It is further **ORDERED** that the plaintiff's motion for judgement on the pleadings [Doc. 10] is **GRANTED**; the defendant Commissioner's motion for summary judgement [Doc. 14] is **DENIED**; the Commissioner's decision in this case denying the plaintiff's application for period of disability, disability insurance benefits, and supplemental security income based on disability is **REVERSED**; and benefits are to be awarded on remand. Lastly, the Clerk of the Court will enter a judgment pursuant to Rule 58 of the Federal Rules of Procedure.

ENTER:

S/Thomas W. Phillips
United States District Judge